

IN THE DISTRICT COURT OF THE UNITED STATES
FOR THE DISTRICT OF SOUTH CAROLINA
SPARTANBURG DIVISION

Tatanisha L. Hood,

Plaintiff,

vs.

County of Cherokee Administration;
Holland Bealeu;
Brian Estes,

Defendants.

Civil Action No. 7:15-1664-TMC-KFM

REPORT OF MAGISTRATE JUDGE

This is civil action filed by a *pro se* litigant. Under Local Civil Rule 73.02(B)(2) (D.S.C.), pretrial proceedings in this action have been referred to the undersigned United States Magistrate Judge. This was transferred to this court from the United States District Court for the Western District of North Carolina pursuant to the order (doc. 6) entered on April 16, 2015, by the Honorable Max O. Cogburn, Jr., United States District Judge.

In an order (doc. 11) filed in this case on April 20, 2015, the undersigned directed the *pro se* plaintiff to submit answers to special interrogatories, summonses, Forms USM-285, and a long-form motion for leave to proceed *in forma pauperis* (Form AO 239).^{*} The Clerk's Office in Greenville on April 20, 2015, mailed to the plaintiff a copy of the order of April 20, 2015, and the aforementioned "proper form" documents. The deadline for the plaintiff to comply with the order was May 15, 2015. The plaintiff has not responded to the order of April 20, 2015.

^{*}In the order (doc. 3) filed by the Honorable Dennis L. Howell, United States Magistrate Judge, on April 28, 2014, when this case was still pending in the United States District Court for the Western District of North Carolina, the plaintiff was directed to submit a Form AO 239. The docket sheet in this case does not reflect receipt of a Form AO 239 from the plaintiff when this case was pending in the Western District of North Carolina.

Accordingly, it is recommended that the District Court dismiss the above-captioned case *without prejudice* because the plaintiff has not responded to the order of April 20, 2015. See *In Re: Procedures in Civil Actions Filed by Non-Prisoner Pro Se Litigants*, Misc. No. 3:07-MC-5015-JFA (D.S.C. Sept. 18, 2007). The plaintiff's attention is directed to the important notice on the next page.

May 21, 2015
Greenville, South Carolina

s/ Kevin F. McDonald
United States Magistrate Judge

Notice of Right to File Objections to Report and Recommendation

The plaintiff is advised that the plaintiff may file specific written objections to this Report and Recommendation with the District Judge. **Objections must specifically identify the portions of the Report and Recommendation to which objections are made and the basis for such objections.** “[I]n the absence of a timely filed objection, a district court need not conduct a de novo review, but instead must ‘only satisfy itself that there is no clear error on the face of the record in order to accept the recommendation.’” *Diamond v. Colonial Life & Acc. Ins. Co.*, 416 F.3d 310 (4th Cir. 2005) (quoting Fed. R. Civ. P. 72 advisory committee’s note).

Specific written objections must be filed within fourteen (14) days of the date of service of this Report and Recommendation. 28 U.S.C. § 636(b)(1); Fed. R. Civ. P. 72(b); see Fed. R. Civ. P. 6(a), (d). Filing by mail pursuant to Federal Rule of Civil Procedure 5 may be accomplished by mailing objections to:

**Robin L. Blume, Clerk of Court
United States District Court
300 East Washington Street — Room 239
Greenville, South Carolina 29601**

Failure to timely file specific written objections to this Report and Recommendation will result in waiver of the right to appeal from a judgment of the District Court based upon such Recommendation. 28 U.S.C. § 636(b)(1); *Thomas v. Arn*, 474 U.S. 140 (1985); *Wright v. Collins*, 766 F.2d 841 (4th Cir. 1985); *United States v. Schronce*, 727 F.2d 91 (4th Cir. 1984).